

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

JOSEPH KURZ #169198

CIVIL ACTION NO. 21-1965 SEC P

VERSUS

JUDGE ELIZABETH E. FOOTE

DARREL VANNOY

MAGISTRATE JUDGE PEREZ-MONTES

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein [Rec. Doc. 5], and after a *de novo* review of the record, including the objection filed by Petitioner [Rec. Doc. 6], having determined that the findings and recommendation are correct under the applicable law:

IT IS ORDERED that the Section 2254 Petition [Rec. Doc. 1] is **DENIED** and **DISMISSED WITH PREJUDICE**.

Rule 11 of the Rules Governing Section 2254 Proceedings for the U.S. District Courts requires the district court to issue or deny a certificate of appealability when it enters a final order adverse to the applicant. The Court, after considering the record in this case and the standard set forth in 28 U.S.C. Section 2253, denies a certificate of appealability because the applicant has not made a substantial showing of the denial of a constitutional right.

10th

THUS DONE AND SIGNED this 9th day of November, 2021.

ELIZABETH ERNY FOOTE
UNITED STATES DISTRICT JUDGE

